



# **PLANNING COMMISSION AGENDA REPORT**

MEETING DATE: APRIL 26, 2004

ITEM NUMBER

SUBJECT: GENERAL PLAN AMENDMENT GP-04-01 AND REZONE R-04-01  
330/340 W. BAY STREET

DATE: APRIL 13, 2004

FOR FURTHER INFORMATION CONTACT: CLAIRE L. FLYNN, AICP, ASSOCIATE PLANNER  
(714) 754-5278

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## **DESCRIPTION**

The proposed project is for a change in the General Plan land use designation (Existing: General Commercial; Proposed: Medium Density Residential) and for a rezone (Existing: General Business District [C2]; Proposed: Multi-Family Residential, Medium Density [R2-MD]). Future development of the property would be medium-density residential development.

## **APPLICANT**

Richard Dick of Richard Dick & Associates.

## **RECOMMENDATION**

Recommend the following actions to City Council: (1) adopt mitigated negative declaration and mitigation monitoring program; (2) approve General Plan amendment GP-04-01; and (3) give first reading to the ordinance for rezone R-04-01, by adopting the attached resolution.

CLAIRE L. FLYNN, AICP  
Associate Planner

R. MICHAEL ROBINSON, AICP  
Planning & Redevelopment Mgr.

PERRY L. VALANTINE  
Asst. Development Services Director

## **BACKGROUND**

City Council Policy 500-2 requires Council screening of General Plan amendment requests prior to their acceptance for formal processing. On August 4, 2003, City Council approved a General Plan screening request for a proposed change in the General Plan land use designation of 330/340 W. Bay Street from General Commercial to Medium Density Residential. The minutes excerpt is provided as Attachment 3. City Council believed that the proposed project satisfies one of the acceptance criteria for General Plan amendments since the proposed change would result in decreased traffic impacts from the property. Council noted that application acceptance did not set precedent for approval, but it allows staff, the public, Planning Commission, and Council the opportunity to review the request and its relative merits and compatibility in greater detail prior to final action.

## **ANALYSIS**

### *Project Location*

The properties located at 330 and 340 W. Bay Street ("subject property") are approximately 3.73 acres (combined) in size with irregular dimensions (Vicinity Map, Attachment 1). The existing structure is a 51,556 square foot, two-story office building. The Daily Pilot newspaper has been published in this location for many years. The Daily Pilot plans to relocate within the year, and the property owner would like to develop residential land uses on the project site. In addition to The Daily Pilot, other office uses, and a church currently occupy the building.

The attached initial study/negative declaration includes site photographs of the subject property including the existing office building and adjacent land uses. As can be noted, the existing building walls or perimeter of the storage facility to the rear and northeast sides of the site, provide a buffer to the project site. Other adjacent commercial uses to the east include a two-story office building, an automobile repair shop, and a vehicle storage yard. Compatibility with these uses with a residential development is of concern, but can be addressed through proper site design. Land uses to the south, across Bay Street, include a gas station, a motel, and recreational vehicle park. To the west and north are residential land uses.

### *Project Description*

The proposed project is a request to change the General Plan land use designation from General Commercial to Medium-Density Residential and to rezone the property from General Business District (C2) to Multi-Family Residential District, Medium Density (R2-MD). The Medium-Density Residential General Plan designation and corresponding R2-MD zoning would allow a maximum of 44 dwelling units on the combined properties. The proposed project is only for a General Plan amendment and rezone and does not include a development project, which would be processed at a later date. The property owner

currently intends to develop the property as a medium-density, single-family detached residential development.

### *Underground Storage Tanks*

Two underground storage tanks exist on-site, and the County of Orange Health Care Agency has evaluated the preliminary environmental assessment. In a letter dated January 23, 2004, the County of Orange expressed no objection to the proposed residential use of the project site provided that residual contamination, if any, found upon removal of the underground storage tanks be remediated to acceptable Agency standards. This would require that the site undergo additional assessment and, if necessary, remedial action under the oversight of the Agency. The County did not require that the developer remediate the site prior to submitting an application for the proposed General Plan amendment and rezone application. The City will require a letter of case closure from the County of Orange Health Care Agency before approving any building permits for future residential development. Mitigation Measure #1 requires that any necessary remedial action shall occur prior to redevelopment of the subject site as a residential use. The Mitigation Monitoring Program is located on page 20 of the attached initial study/negative declaration.

### *General Plan Conformity*

The proposed General Plan amendment is consistent with General Plan Policy HOU-3.1, which encourages the conversion of existing marginal or vacant commercial properties to residential where feasible. It is important to note that the change in the General Plan designation and zoning classification of the subject site to medium-density residential would result in legal nonconforming setbacks for some of the adjoining commercial properties. The Zoning Code requires that commercial properties abutting residential properties be set back twice the height of the commercial building. Any proposed residential development would require site plan review to ensure that the proposed buildings are adequately set back from adjacent commercial properties. Thus, the City's standard development review and processing procedures would ensure that the site design for proposed residential development is compatible with existing, adjacent commercial development.

### *Noise*

The City of Costa Mesa maintains a comprehensive Noise Ordinance that sets standards for noise levels citywide and provides the means to enforce the reduction of obnoxious or offensive noises. The basic noise standards contained in Table 1, City Noise Ordinance Standards-Residential, below, are for the daytime period (7:00 a.m. to 11:00 p.m.) and apply to both outdoor and indoor residential areas. Between the hours of 11:00 p.m. and 7:00 a.m., the noise standards are 5 dBA more stringent for exterior areas and 10 dBA more stringent for indoor areas. The ordinance is designed to control unnecessary, excessive and annoying sounds generated on one property from impacting an adjacent

property, and to protect residential areas from noise sources other than transportation sources.

Residential Noise Standards	
Exterior Noise Standards	
55 dba	7:00 a.m. - 11:00 p.m.
50 dba	11:00 p.m. - 7:00 a.m.
Interior Noise Standards	
55 dba	7:00 a.m. - 11:00 p.m.
45 dba	11:00 p.m. - 7:00 a.m.

\*dba=decibels

According to the 2000 General Plan, existing (Year 2000) and expected (Year 2020) noise contours along the project site range from 60 to 65 CNEL (Community Noise Equivalent Level). These noise contours were based on the average daily traffic volume (ADT) noise levels at 100 feet from the roadway centerline without sound attenuation (e.g. noise barriers, block walls, landscape berms, etc.). Since the project site is within the 60 to 65 CNEL noise contours, significant noise impacts are anticipated. An acoustical study and site plan review will be completed for a future residential development project to accurately identify any noise impacts and specify mitigation (e.g. landscape berms, solid walls, site design techniques, proper insulation, dual-paned windows, etc.). Mitigation Measure #2 in the Mitigation Monitoring Program requires a noise study and the implementation of the study's recommended noise attenuation methods shall minimize impacts to below a level of significance.

#### *Traffic*

As shown in the following table, development of the project site with residential uses will result in a forty-one percent decrease in average daily traffic generation when compared to the site developed at a 0.40 floor area ratio with office land uses (64,990 sq.ft. building). Office uses in the General Commercial land use designation are considered "low-traffic generating uses" with a maximum FAR of 0.40.

GENERAL PLAN LAND USE DESIGNATION	DEVELOPMENT POTENTIAL	AM PEAK HOUR	PM PEAK HOUR	ANTICIPATED AVERAGE DAILY TRIPS	CORRESPONDING ZONING
General Commercial	64,990 SQUARE FEET OF OFFICE**	101	97	716	C2
Medium Density Residential	44 DWELLING UNITS	33	44	421	MultiFamily Residential District, R2-MD (1 unit per 3,630 s.f. of parcel area minimum)

\*\*Note: This analysis examines the maximum development potential (64,990 sq.ft. building) under the current General Commercial land use designation. The anticipated average daily trips for the existing 51,556 sq.ft. building would be slightly lower at approximately 570 ADT.

Since the proposed project would result in a forty-one percent reduction of vehicle trips compared to the maximum buildout potential for office uses within the General Commercial designation, the proposed project would not exceed the General Plan development capacity nor cause an increase in traffic which would adversely affect the existing traffic load and capacity of the street system.

#### *Expansion of Project Area*

There are three under-utilized commercial lots that front on Newport Boulevard (2025, 2033, 2037) that may also be appropriate for residential development, provided that they are combined with the development of this site. The property at 2025 has an office building, and the properties at 2033 and 2037 are occupied by older auto-related uses. Council recommended that the applicant explore the feasibility of integrating these parcels into the application. The applicant has indicated that the adjacent property owners have expressed no interest in selling their properties or being involved in the proposed project. While inclusion of these properties with the proposed residential project is desirable to provide a larger development site and additional design feasibility, it does not appear that this is a viable option.

#### **ENVIRONMENTAL DETERMINATION**

An initial study was prepared, pursuant to the California Environmental Quality Act (CEQA). According to the initial study and mitigated negative declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project could not have a significant effect on the environment. The environmental impacts related to the project-specific impacts of a medium-density residential development would be evaluated in a separate environmental document, and mitigation measures shall be provided to minimize any significant impacts from proposed residential development to below a level of significance.

#### **ALTERNATIVES CONSIDERED**

The Planning Commission has the following alternatives:

1. Recommend approval of the General Plan amendment and rezone. Proposed residential development would be in conformance with the City's General Plan policy encouraging the conversion of existing marginal or vacant commercial properties to residential where feasible
2. Recommend denial of the application. The existing General Plan land use and zoning would not permit residential development.
3. Recommend the approval of a low-density residential land use designation. However, this recommendation would be inconsistent with the applicant's project objectives.

**CONCLUSION**

The applicant is interested in developing the subject property as a small-lot, common interest development. If the General Plan amendment and rezone were approved, this development may contribute up to 44 single-family residences to the City's housing stock. Environmental impacts could be mitigated to below a level of significance. Therefore, staff considers this project as a good opportunity to convert an existing commercial property to residential and ultimately provide increased homeownership opportunities in Costa Mesa. Staff recommends approval of the proposed General Plan amendment and rezone.

Attachments:      1. Vicinity Map  
                         2. Draft Planning Commission Resolution  
                         3. Minute Excerpt of Council meeting on 8/04/03  
                         4. Initial Study/Mitigated Negative Declaration (separately  
                         bound document)

File Name: 042604GP0401R0401

Date: 4/13/04

Time: 4:40 pm

cc: Deputy City Mgr.-Dev. Service Director  
Sr. Deputy City Attorney  
City Engineer  
Fire Protection Analyst  
Staff (4)  
File (2)

Richard Dick  
Richard Dick and Associates, Inc.  
1711 Westcliff Drive  
Newport Beach, CA 92660

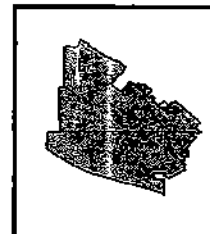
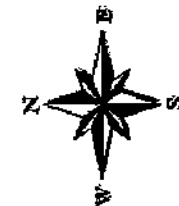
# Vicinity Map

330 and 340 W. Bay St.



## LEGEND

- Selected Features
- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography
- Parcels



**Attachment 2**

**Draft Resolution**



## **RESOLUTION PC-04-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING ADOPTION OF THE MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING PROGRAM, GENERAL PLAN AMENDMENT GP-04-01, AND REZONE R-04-01 FOR 330/340 W. BAY STREET.**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY  
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Richard Dick of Richard Dick and Associates, Inc., with respect to the real properties located at 330 and 340 W. Bay Street, requesting a General Plan amendment GP-04-01, to change the land use designation from General Commercial to Medium-Density Residential, and a Rezone R-04-01 to change the zoning from General Business District (C2) to Multi-Family Residential District--Medium Density (R2-MD);

WHEREAS, the City Council of the City of Costa Mesa approved the General Plan Screening request for the proposed project on August 4, 2003;

WHEREAS, the General Plan is a long-range comprehensive document which serves as a guide for the orderly development of Costa Mesa;

WHEREAS, by its very nature, the General Plan needs to be updated and refined to account for current and future community needs;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on April 26, 2004;

WHEREAS, the project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and an Initial Study/Mitigated Negative Declaration was prepared and available for public review from April 2, 2004 – April 21, 2004; and

WHEREAS, the Planning Commission deems it to be the best interest of the City that said Amendment to the General Plan be adopted.

NOW THEREFORE BE IT RESOLVED that an initial study was prepared, pursuant to the California Environmental Quality Act. According to the initial study and Mitigated Negative Declaration, which reflect the independent judgment of the City of Costa Mesa, the proposed project could not have a significant effect on the environment. Additionally, the evidence in the record as a whole indicates that the project will not individually or cumulatively have an adverse effect on wildlife resources or habitat;

BE IT FURTHER RESOLVED that the Planning Commission recommends City Council approval of the Mitigated Negative Declaration and Mitigation Monitoring Program;

BE IT FURTHER RESOLVED that the Planning Commission recommends City Council adoption of the following: (1) General Plan Amendment GP-01-04, to amend the General Plan Land Use Map for the properties at 330 and 340 W. Bay Street from General Commercial to Medium-Density Residential and to amend the text of the General Plan as set forth in Exhibit "A" of this resolution; and (2) Rezone R-04-01 to change the zoning classification of the subject property from General Business District (C2) to Multiple-Family Residential District, Medium Density (R2-MD).

**PASSED AND ADOPTED this 26<sup>th</sup> day of April, 2004.**

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Chair, Costa Mesa Planning Commission

STATE OF CALIFORNIA   )  
  )ss  
COUNTY OF ORANGE    )

I, Perry L. Valentine, acting secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on April 26, 2004, by the following votes:

AYES:           COMMISSIONERS

NOES:           COMMISSIONERS

ABSENT:        COMMISSIONERS

ABSTAIN:       COMMISSIONERS

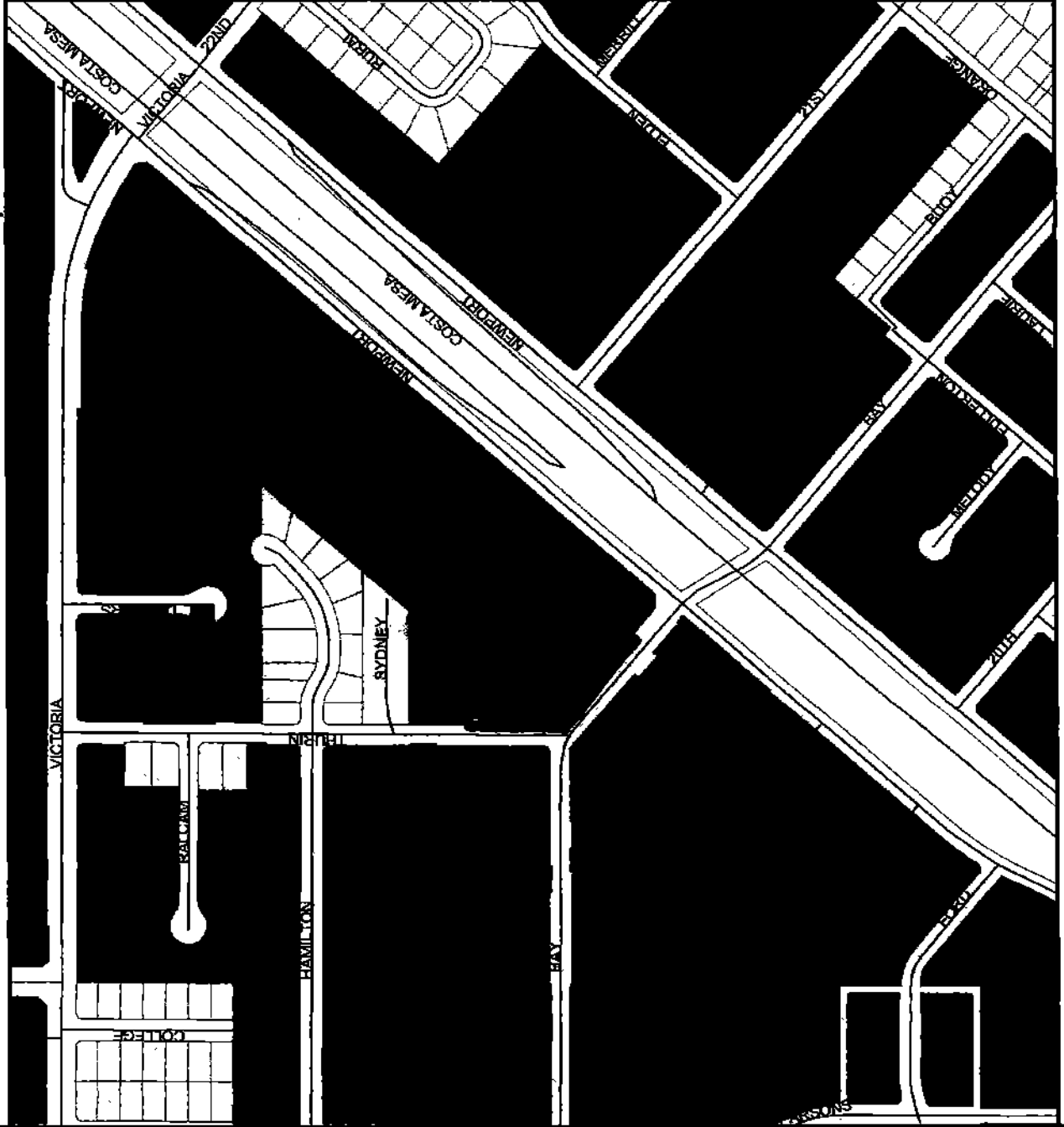
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Secretary, Costa Mesa  
Planning Commission

**EXHIBIT "A"**

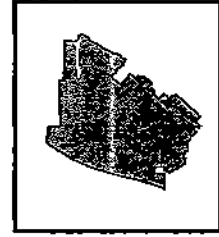
# 330 and 340 W. Bay St.

## General Plan Map



### LEGEND

- Street Names
- Parcel Lines
- City Boundary
- General Plan
- Other
- Cultural Arts Center
- Commercial Center
- Commercial Residential
- Parkgrounds
- Self Course
- General Commercial
- High Density Residential
- Industrial Park
- Low Density Residential
- Light Industrial
- Medium Density Residential
- Neighborhood Commercial
- Public/Institutional
- Regional Commercial
- Urban Center Commercial



**TABLE LU-1: LAND USE DESIGNATIONS (2001)**

Land Use Designation	Residential Density DU/Acre*	Floor Area Ratio	Acres Developed	Acres Undeveloped (1999)	Total Acres	% of City
Low-Density Residential	≤8	Same as Neighborhood Commercial	2,168.3	1.8	2,170.1	26.8%
Medium-Density Residential <sup>1</sup>	≤12	Same as Neighborhood Commercial	<del>790.8</del> 794.5	25.7	<del>816.5</del> 820.2	10.1%
High-Density Residential <sup>1</sup>	≤20 <sup>2</sup>	Same as Neighborhood Commercial	836.3	42.0	878.3	10.8%
Commercial-Residential	≤17.4	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic	42.6	0.9	43.5	0.5%
Neighborhood Commercial	-	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	41.4	2.5	43.9	0.5%
General Commercial	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40 Low Traffic 0.75/Very Low Traffic	<del>614.4</del> 610.7	20.4	<del>634.8</del> 631.1	7.8%
Commercial Center	≤20 ≤40 site-specific density for 1901 Newport Blvd <sup>3</sup>	0.25/High Traffic 0.35/Moderate Traffic 0.45 Low Traffic 0.75/Very Low Traffic 0.70 Site-Specific FAR for 1901 Newport Blvd <sup>3</sup>	29.4	63.3	92.7	1.2%
Regional Commercial	≤20	0.65/0.89 <sup>4</sup>	114.7	0.0	114.7	1.4%
Urban Center Commercial	≤20	0.50 Retail 0.60 Office 0.79 Site-Specific FAR for So.Coast Metro Center <sup>5</sup>	134.2	26.2	160.4	2.0%
Cultural Arts Center	-	1.77	49.0	5.0	54.0	0.7%
Industrial Park	≤20	0.20/High Traffic 0.30/Moderate Traffic 0.40/Low Traffic 0.75/Very Low Traffic	696.5	17.7	714.2	8.8%
Light Industry	≤20	0.15/High Traffic 0.25/Moderate Traffic 0.35/Low Traffic 0.75/Very Low Traffic	376.5	6.6	383.1	4.8%
Public/Institutional	-	0.25	1,286.3	0.5	1,286.8	15.9%
Golf Course	-	<0.01	560.1	0.0	560.1	6.9%
Fairgrounds	-	<0.10	146.4	0.0	146.4	1.8%
<b>Total</b>			<b>7,886.9</b>	<b>212.6</b>	<b>8,099.5</b>	<b>100.0%</b>

<sup>1</sup> Within the Medium- and High-Density Residential designation, existing residential units legally built in excess of the dwelling units per acre standard may be rebuilt at the same higher density subject to other zoning code standards. The allowable density or number of units to be redeveloped would be limited to the 1990 General Plan density with a 25% incentive bonus for Medium-Density or a 50% incentive bonus for High-Density; or the existing number of units, whichever is less.

<sup>2</sup> See High-Density Residential text regarding an area in North Costa Mesa where the density allowance is 25 to 35 DU/acre.

<sup>3</sup> See Commercial Center text. <sup>4</sup> See Regional Commercial text. <sup>5</sup> See Urban Center Commercial text.

within Medium and High-Density Residential designations. This is primarily the result of changes in the 1990 General Plan that reduced residential densities. This change was primarily a reflection of the community's concerns for quality of life issues related to traffic and a more appropriate balance between the amount of land devoted to multi-family and single-family development. The density of these existing legal, non-conforming residential developments is accounted for in the growth and traffic projections of this 2000 General Plan.

## **COMMERCIAL AREAS**

Commercial land use designations encompass 13.4 percent of the City's land area. The ~~1,090~~ 1,086 acres designated for commercial uses contain approximately 16.6 million square feet of commercial space. These uses are spread throughout the City, divided into seven commercial designations and one mixed-use designation (Commercial-Residential) (refer to Table LU-1). South Coast Plaza contains the largest single concentration of retail uses in the City. It accounts for 30 percent of the City's commercial square footage and 25 percent of the retail sales. Within this same area, the development in the Town Center area contains 20 percent of the City's office space.

The Harbor Boulevard commercial district encompasses almost one-third of Costa Mesa's commercial land. The district is responsible for 40 percent of the City's retail sales, indicating that Harbor Boulevard's trade area is of a regional scale. The major factor for this is the concentration of new car dealerships on Harbor Boulevard.

The 92-acre East 17<sup>th</sup> Street commercial district contains a variety of commercial uses, including retail, service, and office. The area generally serves local residences and businesses. One-tenth of the City's retail sales is attributable to East 17<sup>th</sup> Street businesses.

## **INDUSTRIAL AREAS**

Industrial land use designations encompass 1,097 acres of land in Costa Mesa. These uses are primarily concentrated in three major districts: the Southwest District, the Airport Industrial District, and the North Costa Mesa Industrial District (refer to Table LU-2). The Southwest District is the City's oldest industrial area and the two other areas are more recently developed industrial parks located in the northwest and northeast sections of the City.

The Southwest District contains 312 acres and represents 88 percent of the City's land designated for Light Industry. This area contained a substantial amount of industrial development before the City was incorporated. The area contains several large manufacturing firms as well as a high percentage of smaller industrial operations, frequently in multi-tenant structures. The Southwest District is one of Costa Mesa's major employment centers employing approximately one-fourth of the City's employees engaged in manufacturing-related jobs. Forty-one (41) percent of the manufacturing employers are located in this district.

The 390-acre Airport Industrial Area is a portion of the much larger Irvine Industrial Complex which extends into the cities of Irvine and Tustin. This area is characterized by large parcels and wide landscaped setbacks. Several firms have located their main or regional headquarters in the area and are often the single tenants in large structures.

**Attachment 3**  
**Minutes Excerpt**



MOTION/To Receive  
and File Report

Mayor Monahan, to receive and file the report.

Council Member Cowan had mixed emotions about commercial recreation zones, believing that it could be successful or disastrous and should be carefully thought out. She thought that the General Plan should identify the City's interest in, and framework for, commercial recreation.

SUBSTITUTE  
MOTION/Referred  
to Joint Planning/Parks  
Meeting

A substitute motion was made by Council Member Cowan, seconded by, Council Member Scheafer, and carried 3-2, Mayor Monahan and Council Member Mansoor voting no, to refer establishment of a Commercial Recreation Zone to a joint meeting of the Planning Commission and the Parks and Recreation Commission, with a direction to establish a report for Council consideration which includes modifications to the language of the City's General Plan.

Council Member Scheafer thought that by allowing the Joint Meeting, the residents will know that Council is interested in promoting recreation. He encouraged both bodies to be aware of the recreational needs of the City and the residents. Mayor Pro Tem Steel supported the substitute motion thinking that it may "take the pressure off" the ball fields. Council Member Mansoor opposed the motion, supporting the concept of recreation in the City but objecting to the amount of staff time involved.

NEW BUSINESS  
Target Greatlands  
ABC Request

The Deputy City Clerk presented a request from Target Greatlands, 3030 Harbor Boulevard, Unit A, for a public convenience or necessity finding for a premise-to-premise transfer of a Type 20 ABC License (off-sale beer and wine). A communication was received from Target requesting a continuance to the meeting of August 18, 2003.

MOTION/Continued  
to August 18, 2003

On motion by Council Member Cowan, seconded by Council Member Scheafer, and carried 5-0, this item was continued to the meeting of August 18, 2003.

NEW BUSINESS  
Traffic Committee  
Appointments

The Deputy City Clerk presented Traffic Impact Fee Ad Hoc Committee appointments. The Public Services Director summarized the Agenda Report dated July 23, 2003.

MOTION/Appointed  
Davenport and  
McQueen

A motion was made by Mayor Monahan, seconded by Council Member Mansoor, and carried 5-0, to appoint Walter Davenport and Teresa A. McQueen, Esq., as members of the committee.

NEW BUSINESS  
GPS-03-02, 330/340  
West Bay Street

The Deputy City Clerk presented General Plan Amendment Screening Request GPS-03-02 for 330/340 West Bay Street. Council Member Scheafer noted his abstention from the vote on this item as one of the properties is owned by an organization of which he is a member of their Board of Directors.

The Development Services Director reported that the subject property contains a commercial building which is currently the home of the Daily Pilot newspaper. He stated that the property owner would like to change the commercial designation to medium density residential. He added that staff felt that the three adjoining properties which front on Newport Boulevard should be included in the application, and he concluded by stating that the properties meet the General Plan policy that encourages the conversion of existing marginal or vacant commercial properties to residential.

Terry Shaw, 420 Bernard Street, Costa Mesa, thought that this

type of housing should be encouraged in Costa Mesa, assuming that it remains within the boundaries of the proposal. He mentioned speeding problems on Bay Street.

Council Member Mansoor supported accepting the application in terms of medium density housing in the City.

MOTION/Accepted  
for Processing

On motion by Council Member Mansoor, seconded by Council Member Cowan, and carried 4-0, Council Member Scheafer abstaining, the screening request was accepted for processing.

NEW BUSINESS  
2003-2004 Fourth  
Quarter Community  
Objectives

The Deputy City Clerk presented the 2002-2003 Fourth Quarter Community Objectives Update.

Move the following Community Objectives to the completed or ongoing list: 98-D4/Develop Neighborhood Improvement Strategy for the redevelopment/improvement of the Baker/Mendoza/Coolidge.

The Finance Director summarized the Agenda Report dated July 23, 2003.

MOTION/Approved  
Objectives

A motion was made by Council Member Cowan, seconded by Mayor Pro Tem Steel, and carried 5-0, to receive and file the Community Objectives and to approve moving Objectives 98-D4 and 03-C1 to the completed or ongoing list.

NEW BUSINESS  
Streetscape and  
Median Development  
Standards

The Deputy City Clerk presented a resolution to amend the City's Streetscape and Median Development Standards regarding Development of Landscape Medians and Rehabilitation of Neighborhood Entryways and Arterial Walls. The Public Services Director reviewed the Agenda Report dated July 23, 2003, noting that Attachment 6 contained the proposed revisions, and mentioning that requests from homeowners to upgrade existing block walls will be addressed at a future date. Council Member Mansoor asked to incorporate standards in future landscape medians which will improve the community, and showed photographs of examples. He suggested using cobblestone or brick, as well as flowers in smaller areas, and encouraged creating a contrast. He asked staff to consider some of the options shown for any future landscape median work.

Beth Refakes, 320 Magnolia Street, Costa Mesa, questioned the one-year period to request a rehearing should a tree removal request be denied. The Public Services Director replied that staff is authorized to remove a tree should an emergency, such as sewer line damage, occur. Ms. Refakes concurred with Council Member Mansoor regarding the landscape medians, reporting that the median at Newport Boulevard and 19<sup>th</sup> Street is "disgusting". She suggested another means of achieving a variation in medians without using flowers is to utilize different colored foliage.

Robin Leffler, 3025 Samoa Place, Costa Mesa, agreed with Ms. Refakes regarding the tree removal requests, adding that she encourages including a provision covering home ownership change. She supported the use of drought tolerant landscaping, stating that turf, while pretty, is water and labor intensive. She commented that First Bank Plaza at Harbor Boulevard and Baker Street is entirely landscaped in drought tolerant plants which could survive with once-a-month watering when the plants are mature.

Carolyn Harvey, 674-B Center Street, Costa Mesa, considered the